UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,966	11/21/2000	Martijn Johannes Lambertus Emons	PHN 17,746	9680

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER
CAO, CHUN

ART UNIT	PAPER NUMBER
2115	7

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/717,966	EMONS, MARTIJN JOHANNES LAMBERTUS
		Examiner	Art Unit
		Chun Cao	2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 June 2004*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☒ Claim(s) *3,11 and 15* is/are allowed.
6)☒ Claim(s) *1,2,4-10,12-14 and 16-19* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-19 are presented for examination.

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/2/04

has been entered.

3.   The text of those applicable section of Title 35, U.S. Code not included in this

action can be found in the prior Office Action.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-2, 4-10, 12-14 and 16-19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Conary et al. (Conary), U.S. Patent No. 5,481,731 in view of

Carmean et al. (Carmean), U.S. Patent No. 5,669,003.

     Conary and Carmean are prior art references cited in prior office action.

     As per claim 1, Conary discloses a data processing system [computer system,

fig. 1] which adapted to function in a reduced-power mode, comprising a first data

processing unit [a processor] that has access to a memory [a cache] belonging to the

first data processing unit [col. 2, lines 11-14] and a second data processing unit [devices or main memory, col. 20, lines 1-4] that has access to the memory belonging to the first data processing unit [col. 2, lines 24-29; col. 19, line 60-col. 20, line 6; col. 21, lines 52-62];

characterized in that the first data processing unit is arranged for offering the second data processing unit access to the memory belonging to the first data processing unit in a reduced-power mode of the data processing system [col. 2, lines 24-29; col. 19, line 60-col. 20, line 6; col. 21, lines 52-62].

Conary does not explicitly disclose the second processing unit having its own memory, so that the second data processing unit utilizes the memory belonging to the first data processing unit instead of its own memory.

Carmean discloses a second processing unit [second microprocessor] having its own memory [local cache], so that the second data processing unit utilizes the memory belonging to the first data processing unit instead of its own memory [col. 6, lines 11-22; col. 7, lines 58-63].

It would have been obvious to one of ordinary skill in the art at time the invention to combine the teachings of Conary and Carmean because the specify teachings of Carmean stated above would have improved the functionality and performance of the Conary system by allowing the second processing unit accesses the memory instead of its own memory while the data processing system in a reduced power.

As per claim 2, Conary discloses that the first data processing unit is arranged for offering the second data processing unit access to the memory belonging to the first

data processing unit in a period of time in which the reduced-power mode of the data

processing system implies a reduced-power mode of the first data processing unit [col.

2, lines 24-29; col. 19, line 60-col. 20, line 6; col. 21, lines 52-62].

As per claim 4, Conary discloses that the memory belonging to the first data

processing unit forms part of the first data processing unit [fig. 2].

As per claim 5, Conary discloses that the memory belonging to the first data

processing unit is a cache memory [fig. 2; col. 4, lines 61-62].

As per claim 6, Conary discloses that the first data processing unit is a

microprocessor [fig. 2; col. 4, lines 61-62].

As per claim 7, Conary discloses a video controller [a display device, col. 4, line

22. Since the computer system comprises a display device, it would have been obvious

to one of ordinary skill in the art to include a video controller in order to control video

display in the display device].

6.   As per claim 8, Conary discloses a data processing unit having access to a

memory belonging to the data processing unit which data processing unit may be

situated in a reduced-power mode, characterized in that the data processing unit is

arranged for offering access in the reduced-power mode to the memory belonging to the

data processing unit [col. 2, lines 24-29; col. 19, line 60-col. 20, line 6; col. 21, lines 52-

62].

Conary does not explicitly disclose the second processing unit having a second

memory of its own.

Carmean discloses a second processing unit [second microprocessor] having a

second memory of its own [local cache; col. 6, lines 11-22; col. 7, lines 58-63].

As per claim 9, Conary discloses a mechanism that allow the first data

processing unit to offer the second data processing unit access to the memory

belonging to the first data processing unit in the reduced-power mode [col. 2, lines 24-

29; col. 19, line 60-col. 20, line 6; col. 21, lines 52-62].

As per claim 10, Conary discloses the second memory unit can be accessed by

system components other than the first data processing unit in the reduced-power mode

[col. 19, line 60-col. 20, line 6].

As per claim 12, Conary discloses that the memory belonging to the first data

processing unit is a cache memory [fig. 2; col. 4, lines 61-62].

7.   As per claim 13 is written in means plus function format and contained same

limitations as claim 1, therefore same rejection is applied.

As per claim 14, Conary discloses the second memory unit can be accessed by

system components other than the first data processing unit in the reduced-power mode

[col. 19, line 60-col. 20, line 6].

As per claim 16, Conary discloses that the memory belonging to the first data

processing unit forms part of the first data processing unit [fig. 2].

As per claim 17, Conary discloses that the memory belonging to the first data

processing unit is a cache memory [fig. 2; col. 4, lines 61-62].

As per claim 18, Conary discloses that the first data processing unit is a

microprocessor [fig. 2; col. 4, lines 61-62].

As per claim 19, Conary discloses a video controller [a display device 121, col. 4, line 22. Since the computer system comprises a display device, it would have been obvious to one of ordinary skill in the computer art to include a video controller in order to control video display for the display device].

8.   Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Carmean et al. (Carmean), U.S. Patent No. 5,669,003.

As per claim 8, Carmean discloses a data processing unit having access to a memory belonging to the data processing unit which data processing unit may be situated in a reduced-power mode, characterized in that the data processing unit is arranged for offering access in the reduced-power mode to the memory belonging to the data processing unit to a second data processing unit [a second microprocessor] having a second memory unit [local cache] of its own [col. 6, lines 11-22; col. 7, lines 58-63].

Allowable Subject Matter

9.   Claims 3, 11 and 15 are allowable over prior art.

10.   Applicant's arguments filed on 6/2/2004 have been fully considered but are moot in view of new ground(s) of rejection.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao at (703) 308-6106. The examiner can normally be reached on Monday-Friday from 7:30 am - 4:00 pm. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor Thomas Lee can be reached at (703) 305-9717. The fax number for this Art Unit is following: Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-5631.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chun Cao

June 22, 2004